

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

**BMG RIGHTS MANAGEMENT
(US) LLC, and ROUND HILL
MUSIC LP**

Plaintiffs,

v.

**COX COMMUNICATIONS, INC.,
COXCOM, LLC**

Defendants.

Case No. 1:14-cv-1611(LOG/JFA)

DECLARATION OF BARBARA FREDERIKSEN-CROSS

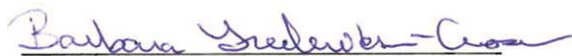
I, Barbara Frederiksen-Cross, hereby declare as follows:

1. My name is Barbara Frederiksen-Cross and I am the Senior Managing Consultant of Johnson-Laird, Inc. (JLI). My CV is attached as **Exhibit 1**.
2. On June 19th, 2015, I submitted an expert report in this case relating to the technology Rightscorp uses to identify copyright infringement by Cox subscribers on the Cox network ("Opening Report"). I submitted a reply expert report on July 24, 2014 in this case and a corrected reply expert report on July 27, 2015 ("Reply Report"). The opinions I express in my Opening Report and Reply Report are my own. They accurately reflect my opinions in this case. My Opening Report is attached as **Exhibit 2**. My Reply Report is attached as **Exhibit 3**.
3. As discussed in my Opening Report, as part of my analysis in this case, I used a computer running BitTorrent client software to monitor network traffic to and from the BitTorrent client and captured this traffic.

4. I analyzed this traffic and identified specific examples where IP addresses for Cox subscribers¹ were sending portions of monitored works to my computer and downloading portions of works from my computer. Examples of this BitTorrent file transfer activity are shown in **Exhibit 4** and **Exhibit 5** to this declaration. In **Exhibit 4** I show excerpts from the BitTorrent data JLI captured wherein the COX subscriber's IP Address (70.170.85.59) provides pieces of a monitored work to JLI's test computer. In **Exhibit 5** I show excerpts from the BitTorrent data JLI captured wherein a COX subscriber's IP Address (68.225.60.120) requests pieces of a monitored work from JLI's test computer and in response the pieces are downloaded to the COX subscriber's IP Address.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on October 12, 2015.


Barbara Frederiksen-Cross

¹ The association between an IP address and COX was established using an IP Address lookup against the American Registry for Internet Numbers ("ARIN"). This lookup identifies the ISP that controls an IP address.

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2015, I electronically filed a true and correct copy of the foregoing using the Court's CM/ECF system, which then sent a notification of such filing (NEF) to all counsel of record:

Craig C. Reilly (VSB No. 20942)
craig.reilly@ccreillylaw.com

/s/ Jeremy D. Engle

Jeremy D. Engle (VSB No. 72919)
jengle@steptoe.com
STEPTOE & JOHNSON, LLP
1330 Connecticut Ave, NW
Washington, DC 20036
Tel.: (202) 429-3000
Fax: (202) 429-3902